IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SECOND DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

TAKEN UP WRIT PETITION NO : 627 of 2000

Between:

Smt.K.Himalavathi Sister Tutor Holding Full Additional Charge of the post of Principal M.P.H.W (F) Training School, Kurnool.

..... PETITIONER

AND

1 Smt. B.Venkata Lakshmamma, Principal
M.P.H.A (F) Training School, Kurnool, A.P
2 The Commissioner of Family Welfare, A.P Hyderabad.
3 The Director of Health, Andhra Pradesh, Hyderabad.
4 The Director of Medical Education, Andhra Pradesh, Hyderabad.
5 The Secretary to the Govt. of A.P. Medical, Health and Family

Welfare Department, Secretariat, Hyderabad.
6 The Principal Secretary to the Govt. of A.P Health, Medical, Family

Welfare Department, Secretariat, Hyderabad.
7 Smt.P.Rangamma, Nursing Tutor, Grade-I, School of Nursing
Dist.Hospital, Chittoor, Chittorr District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the petition, the High Court will be pleased to issue an order, direction, or a Writ, more particularly one in the nature of Writ of Mandamus, calling for records and remarks from the Respondents herein, in and connected to "Promotion of Smt.B.Ventata Lakshmamma, Nursing Tutor, Grade-II, school of

Nursing, Government General Hospital, Kurnool, the 1st Respondent herein, as the Principal, M.P.H.A.(F) Training School, Kurnool, through the Orders of the Commissioner of Family Welfare, Andhra Pradesh, Hyderabad, bearing RC.No.7721/F.W.E3/99, dated 4-12-1999, the 2nd Respondent herein, ignoring the petitioner herein (Smt.K.Himalavathi) for the same post, in the light of the observations made and directions passed in O.A Nos.1237 of 1999 and 4573 of 1999, on the file of the A.P.Administrative Tribunal, Hyderabad as the Petitioner (Smt.K.Himalavathi) stands at 10th rank, where as the promotee, viz., smt.B.Vankata Lakshmamma, 2nd Respondent herein stands at 17th rank as per seniority list and pass appropriate orders to promote the petitioner herein (Smt.K.Himalavathi) as Principal, M.P.H.W.(F) Training School, Kurnool, w.e.f., 2-5-1996, by setting aside the Orders of the 2nd Respondent herein for the reasons stated in the petition of the petitioner.

Counsel for the Petitioner: Mr.Amarender Babu

Counsel for the Respondent No.1: None appeared.

Counsel for the Respondents 2 to 6: G.P. for Medical and Health.

Counsel for the Respondent No.7: Mr.Challari Nageswara Rao

The Court made the following :

ORAL ORDER: (per the Hon’ble the Chief Justice)

This petition was treated as public interest litigation and was registered as a taken up matter. The subject matter of the writ petition squarely lies within the jurisdiction of the Andhra Pradesh Administrative Tribunal. No direction can be issued by this court in such like petition.

The petition is dismissed.

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DEVINDER GUPTA, CJ

2-8-2004

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C.V.RAMULU, J

Tvr

To

1 The Commissioner of Family Welfare, A.P Hyderabad.
2 The Director of Health, Andhra Pradesh, Hyderabad.
3 The Director of Medical Education, Andhra Pradesh, Hyderabad.
4 The Secretary to the Govt. of A.P. Medical, Health and Family

Welfare Department, Secretariat, Hyderabad.
5 The Principal Secretary to the Govt. of A.P Health, Medical, Family

Welfare Department, Secretariat, Hyderabad.
6 2 CCs to the Govt. Pleader for Medical and Health, High Court

Buildings, Hyderabad (OUT).

7 2 CD copies.